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231 South Broadway
Medina, Ohio 44256

In re Application of
Donald McCoy et al.
Application No. 10/620,911
Filed: July 15, 2003
For: AUTOMATED BANKING MACHINE
BOOTABLE MEDIA AUTHENTICATION

**DECISION ON PETITION FOR
WITHDRAWAL OF PREMATURE
FINAL REJECTION**

This is in response to the petition filed December 08, 2008 under 37 CFR 1.181 requesting withdrawal of the finality of the Office Action mailed October 08, 2008 as being premature.

Applicant alleges that the Final Rejection mailed October 08, 2008 was premature in accordance to 37 CFR 1.111 to allow the applicant to properly rebut the Office's newly imposed grounds of rejection and therefore deprived the applicant's due process rights.

A review of the record reveals that since the filing of the petition, a Non-Final Action was mailed on February 05, 2009 in response to the Applicant's arguments/remarks filed on December 08, 2008.

Applicant's arguments with respect to the premature finality are considered moot.

The petition is **DISMISSED as moot.**

Telephone inquiries should be directed to Jim Trammell, Supervisory Patent Examiner, at 571-272-6712


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